

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:09CR3072
)	
v.)	
)	
JEMAIN LARON SIDNEY,)	MEMORANDUM AND ORDER
)	
Defendant.)	

The defendant has moved to continue the pretrial motion deadline currently set for July 10, 2009. Filing No. [35](#). Defense counsel explains that on July 7, 2009, he received a substantial number of discovery documents, most of which are typed reports. Defense counsel needs time to review these materials with his client, and since he will be out of the office during the week of July 13, 2009, requests three additional weeks to file pretrial motions. The court finds the defendant's motion should be granted.

IT IS ORDERED:

- 1) Defendant's motion to continue the deadline for filing pretrial motions, (filing no. [35](#)), is granted and defendant's pretrial motions and briefs shall be filed on or before July 31, 2009.
- 2) The ends of justice will be served by granting such a motion, and outweigh the interests of the public and the defendant in a speedy trial, and the additional time arising as a result of the granting of the motion, the time between July 10, 2009 and July 31, 2009, shall be deemed excludable time in any computation of time under the requirements of

the Speedy Trial Act, for the reason that the parties require additional time to adequately prepare the case, taking into consideration due diligence of counsel, the novelty and complexity of the case, and the fact that the failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

- 3) The trial of this case, currently scheduled for August 3, 2009, is continued and will be re-scheduled upon the resolution of any pretrial motions.

DATED this 13th day of July, 2009.

BY THE COURT:

s/Richard G. Kopf

United States District Judge